

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,  
Debtor.

Case No. 13-53846

Judge Thomas J. Tucker

Chapter 9

**ORDER GRANTING CITY OF DETROIT’S MOTION FOR THE  
ENTRY OF AN ORDER  
(I) ENFORCING THE PLAN OF ADJUSTMENT INJUNCTION AND  
BAR DATE ORDER AND (II) REQUIRING THE DISMISSAL WITH  
PREJUDICE OF CERTAIN PARTIES FROM THE FEDERAL COURT  
ACTION FILED BY THOMAS SANDUSKY**

This case came before the Court for a hearing on September 26, 2018, on the City of Detroit’s motion entitled “City of Detroit’s Motion for the Entry of an Order (I) Enforcing the Plan of Adjustment Injunction and Bar Date Order and (II) Requiring the Dismissal with Prejudice of Certain Parties From the Federal Court Action Filed by Thomas Sandusky” (Docket # 12877, the “Motion”). Thomas Sandusky, as Personal Representative of the Estate of Hal Sandusky, Deceased, (“Thomas Sandusky”) filed a response to the Motion, through his counsel (Docket # 12893), after which the City filed a Reply in support of the Motion (Docket # 12903).

Counsel for the City appeared at the September 26, 2018 hearing on the Motion. Despite his counsel having received ample notice of the hearing, Thomas Sandusky failed to appear at hearing, either in person or through counsel, for

reasons unknown to the Court. For the reasons stated by the Court on the record during the hearing,

IT IS ORDERED that:

1. The Motion (Docket # 12877) is granted.
2. No later than Monday, October 1, 2018, Thomas Sandusky must dismiss, or cause to be dismissed, with prejudice, the City of Detroit, the Detroit Police Department and each of the following defendants in their official capacity from Case No. 17-11784 filed with the United States District Court for the Eastern District of Michigan, Southern Division: Commander Mounsey, Lt. Johnson, Richard Knox, Gerald Robinson, Michelle Baker, Sgt. Brady Bruenton, Sgt. Jeffrey O'Keefe, Sgt. David Newkirk, Sgt. McWhorter, Sgt. Steven Ford, Officer Brian Ross, Officer Kevin Zarosly, Officer William O'Brien, Officer Yasmin Cooper, Officer Shunta Small, Officer J. Morgan, and Officer Berry.
3. To the extent that the Clerk's Entry of Default dated April 30, 2018 (Docket # 44 in Case No. 17-11784) was entered against David Newkirk in his official capacity, it is void.
4. The Court will retain jurisdiction over any and all matters arising from the interpretation or implementation of this Order.

**Signed on September 26, 2018**



/s/ **Thomas J. Tucker**

**Thomas J. Tucker**  
**United States Bankruptcy Judge**